



PTO/SB/30 (08-00)

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**REQUEST
FOR
CONTINUED EXAMINATION
(RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/938,364
Filing Date	August 24, 2001
First Named Inventor	M. N. Vyakarnam
Group Art Unit	1711
Examiner Name	S. A. Acquah
Attorney Docket Number	ETH-1595

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
(any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Form 1449 w/references

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other

3. **Fees** - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **10-0750**.
- i. ☐ RCE fee is required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of Time (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☐ Check in the amount of \$_____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (print/type)	William K. Wissing	Registration No.	34,757
Signature		Date	Nov 24, 2003

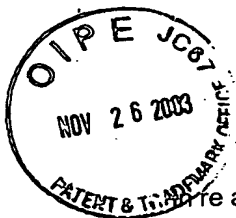
CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (print/type)	William K. Wissing		
Signature		Date	Nov 24, 2003

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Image

RCE \$1750

Docket No. ETH-1595

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Murty N. Vyakarnam, et al.

Application No.: 09/938,364

Group No.: 1711

Filed: August 24, 2001

Examiner: S. A. Acquah

For: FOAM COMPOSITE FOR THE REPAIR OR REGENERATION OF TISSUE

CERTIFICATION UNDER (37 C.F.R. § 1.8(A))

I hereby certify that, on the date shown below, this correspondence is being:

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Date: 11/24/03

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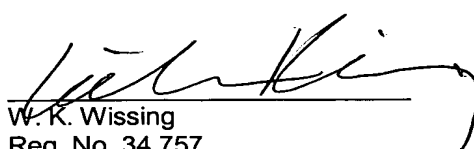
☐ transmitted by facsimile to the Patent and Trademark Office.

Signature: 

**Assistant Commissioner for Patents
Washington, D.C. 20231**

REQUEST FOR COPIES OF COMPLETED FORM PTO-1449

1. The Notice of Allowability mailed on August 28, 2003 has been received.
2. Attachment No. 5 - Information Disclosure Statements (PTO-1449), Paper No. 20030725:
 - ☒ was not attached.
 - ☐ was attached with pages missing.
 - ☐ contains several references cited that were not initialed by the Examiner.
3. It is respectfully requested that a copy of the completed Form PTO-1449 be furnished to the undersigned.


W. K. Wissing
Reg. No. 34,757

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
Tel: (732) 524-6201
Date: 11/24/03
Customer No. 000027777



Docket No.: ETH1595

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: M. N. Vyakarnam, et al.

Serial No.: 09/938,364

Art Unit: 1711

Filing Date: August 24, 2001

Examiner: S. A. Acquah

Title: **FOAM COMPOSITE FOR THE REPAIR OR REGENERATION
OF TISSUE**

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to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

William K. Wissing

Name of applicant, assignee, or Registered Representative

(Signature)

November 24 , 2003

(Date of Signature and Deposit)

Honorable Commissioner for Patents
Washington, D.C. 20231

Amendment

Dear Sir:

Applicants respectfully request that the RCE application be amended as follows.